

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA :
: No. 22-CR-240 (AKH)
- v. - :
:
SUNG KOOK (BILL) HWANG and :
PATRICK HALLIGAN, :
:
Defendants. :
:
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**[PROPOSED] ORDER GRANTING DEFENDANT
PATRICK HALLIGAN'S MOTIONS *IN LIMINE***

THIS MATTER having come before the Court upon the motions *in limine* of Defendant Patrick Halligan, by his attorneys Friedman Kaplan Seiler Adelman & Robbins LLP, and the Court having considered the submissions of the parties and the arguments of counsel, and for good cause shown:

IT IS on this _____ day of _____ 2024,

ORDERED that the government is precluded from offering evidence of misrepresentations that pre-date the charged conspiracy; and it is further

ORDERED that the government is precluded from offering testimony from counterparty employees that alleged misrepresentations were “material”; and it is further

ORDERED that the government is precluded from offering improper speculative and conclusory evidence concerning Mr. Halligan’s state of mind based on his former position as Archegos’s Chief Financial Officer; and it is further

ORDERED that the government is precluded from introducing evidence of alleged misstatements that it did not specify by time, date, speaker, recipient, and content in its disclosures to the defense, i.e., the Indictment, the Superseding Indictment, its letter to counsel dated August 18, 2022, and the Rule 404(b) notice dated December 12, 2023; and it is further

ORDERED that the government is precluded from asserting without any good faith basis in admissible evidence that Mr. Halligan signed MUFG trade confirmations with knowledge they contained a false statement; and it is further

ORDERED that the government is precluded from presenting evidence or argument concerning the timing of Mr. Halligan's disclosure of accurate monthly information to counterparties; and it is further

ORDERED that the government is precluded from presenting evidence or argument concerning tax-related "wash sale" or "wash trade" transactions; and it is further

ORDERED that the government is precluded from offering incorrect evidence and argument about Archegos's purported filing and disclosure obligations; and it is further

ORDERED that the government is precluded from introducing any evidence regarding discussions on or after March 26, 2021 concerning Archegos's potential bankruptcy filing or wind-down; and it is further

ORDERED that the government is precluded from introducing any evidence of alleged misconduct that occurred at Tiger Asia, or any criminal, regulatory, or enforcement proceedings arising from or relating to alleged misconduct at Tiger Asia.

Honorable Alvin K. Hellerstein
United States District Judge